



HELLENIC REPUBLIC
HELLENIC COMPETITION COMMISSION

Athens, 20 January 2021

PRESS RELEASE

Subject: Statement of Objections in relation to alleged infringements of Articles 1 and 2 of Law 3959/2011 and Articles 101 and 102 TFEU in the Greek market for waste oils management (which includes the collection, treatment and remediation/recycling of waste lubricant oils) by the companies ELTEPE SA (now ENDIALE SA), CYCLON HELLAS (now LPC SA), ELTEPE Kinopraxia as well as G.D., following complaints by the companies GREEN OIL AEVE, ESK OIL AEVE, as well as the Association of Collectors of Waste Oils

The Plenary Session of the Hellenic Competition Commission (HCC) will convene on 8 March 2021 to examine, upon the relevant Statement of Objections, alleged infringements by the companies ELTEPE SA (now ENDIALE SA), CYCLON HELLAS (now LPC SA), ELTEPE Kinopraxia as well as G.D., of Articles 1 and 2 of Law 3959/2011 (“Greek Competition Act”) and Articles 101 and 102 of the Treaty on the Functioning of the EU (“TFEU”) in the Greek markets for the collection, treatment, disposal and remediation/ recycling of waste lubricating oils, following complaints by the companies GREEN OIL AEVE, ESK OIL AEVE as well as the Association of Collectors of Waste Oils.

According to the Statement of Objections, the HCC is advised to find an infringement of Article 2 of the Greek Competition Act as well as of Article 102 TFEU by ELTEPE SA (now ENDIALE SA), as, according to the SO, the agreements concluded during the period from 1.1.2004 up until 15.1.2013 between ELTEPE SA and companies active in the collection as well as the remediation/ recycling of waste lubricant oils, contained exclusivity clauses, resulting to an abuse of ELTEPE SA’s dominant position in the relevant market. In view of these practices, it is suggested that the HCC shall impose a fine upon ELTEPE SA. In addition, the SO suggests that, during the period from 2.8.2004 up until 1.8.2008, ELTEPE SA infringed (the now abolished) Article 2a of Law 703/1977, which prohibited the abuse of economic dependence, without suggesting the imposition of a fine for this infringement. The HCC is advised to dismiss the complaints of GREEN OIL AEVE, ESK OIL AEVE and the Association of Collectors of Waste Oils as to their remainder. Finally, it is suggested that ELTEPE SA be required to omit similar practices in the future and be threatened with a fine, in case the HCC decides in the future that the above-mentioned infringements continue or are repeated.

It is noted that the Statement of Objections is not binding on the HCC, which will decide on the case after it has taken into consideration all evidence, as well as the arguments put forward by all implicated parties.